

Message Text

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TO AMEMBASSY BRASILIA PRIORITY

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E.O. 11652: N/A

TAGS: TGEN/ BR

SUBJECT: RENEWAL OF U.S.-BRAZIL AGREEMENT ON SCIENTIFIC
AND TECHNOLOGICAL COOPERATION

REF: BRASILIA 9898

1. APPRECIATE EMBASSY EFFORTS TO EFFECT EXTENSION AND
FACILITATE RENEWAL OF S&T AGREEMENT.
2. FOLLOWING BRAZILIAN PROPOSED MODIFICATIONS TO TEXT
1971 BILATERAL FROM PARA 3 REFTEL ACCEPTED, BUT WOULD
PREFER SUBSTITUTION MORE APPROPRIATE ENGLISH TERM "ENGINEER"
FOR "TECHNOLOGIST" WHERE APPEARING: A, B, C, D, E, AND H.
3. REGARDING BRAZILIAN PROPOSAL ARTICLE V, DEPARTMENT
DISAGREES WITH CONCEPT OF MULTIPLE EXECUTIVE AGENCIES,
BUT DOES NOT CONSIDER SYMMETRY ESSENTIAL. WE PROPOSE
FOLLOWING TEXT WHICH WE BELIEVE WOULD ACCOMPLISH BRAZILIAN
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-- ARTICLE V

-- EACH GOVERNMENT WILL DESIGNATE AN EXECUTIVE AGENCY

WHICH WILL BE RESPONSIBLE FOR COORDINATING ITS PORTION OF THE PROGRAM. ALSO, EACH GOVERNMENT WILL IDENTIFY PARTICIPATING AGENCIES AND OTHER INSTITUTIONS TO FURTHER COOPERATION IN MUTUALLY AGREED PRIORITY AREAS. THESE AGENCIES WILL WORK TOGETHER CLOSELY IN CARRYING OUT THE PROGRAM.

4. REGARDING BRAZILIAN PROPOSAL ARTICLE VI, WE PREFER "EXECUTIVE AGENCY" TO "PARTY" WHICH IS CONSISTENT WITH ASSIGNED COORDINATION ROLE, AND SUBSTITUTION "ARRANGEMENT" FOR "AGREEMENT", WHICH IS MORE APPROPRIATE FOR UNIVERSITY-TO-UNIVERSITY COOPERATION. THUS, TEXT WOULD READ:

-- ARTICLE VI

-- EACH EXECUTIVE AGENCY WILL INSURE THAT FOR JOINT ACTIVITIES CONDUCTED UNDER THE PROGRAM, DETAILED ARRANGEMENTS OR MEMORANDUMS OF UNDERSTANDING WILL BE DEVELOPED BY THE APPROPRIATE AGENCIES OR INSTITUTIONS OF ITS COUNTRY.

5. WE PROPOSE FOLLOWING ADDITIONAL PERFECTING CHANGES:

A. ARTICLE I, CHANGE TO READ: "THE TWO GOVERNMENTS WILL UNDERTAKE A PROGRAM OF SCIENTIFIC AND TECHNOLOGICAL COOPERATION IN AREAS OF MUTUAL INTEREST IDENTIFIED BY THE U.S.-BRAZIL JOINT GROUP ON SCIENTIFIC AND TECHNOLOGICAL COOPERATION".

B. ARTICLE III, DELETE FINAL PHRASE, "WITH THE PRIOR APPROVAL OF THE REFERRED TO EXECUTIVE AGENCIES."

C. ARTICLE IV, AMEND TO INCLUDE "ENGINEERS" IN THREE PLACES.

D. ARTICLE VII, SUBSTITUTE "PARTY" FOR "EXECUTIVE AGENCY" AND ADD "ENGINEERS" AFTER "SCIENTISTS".
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E. ARTICLE XII, ADD "AND TECHNOLOGICAL" AFTER "SCIENTIFIC"

6. WE SUPPORT SCICOUN IDEA TO UTILIZE BILATERAL TO FACILITATE GOB CONCURRENCE FOR U.S. INITIATED RESEARCH PROJECTS, BUT SUGGEST THIS NOT BE INCLUDED EXPLICITLY IN AGREEMENT. WE WOULD EXPECT THAT SUITABLE ARRANGEMENTS FOR SUCH PURPOSE COULD BE WORKED OUT DIRECTLY BY THE

EXECUTIVE AND/OR PARTICIPATING AGENCIES.

7. IF NO EMBASSY OBJECTION, OUR PROPOSALS SHOULD BE
PRESENTED FOR BRAZILIAN CONSIDERATION BY THE SCICOUN ON
HIS RETURN.

8. THE PROPOSED EXCHANGE OF NOTES WILL CONSTITUTE AN
INTERNATIONAL AGREEMENT FOR PURPOSES OF THE CASE ACT,
AND A CERTIFIED TRUE COPY SHOULD BE SENT TO THE DEPARTMENT
(ATTENTION: ASSISTANT LEGAL ADVISOR FOR TREATY AFFAIRS)
AS SOON AS POSSIBLE AFTER SIGNATURE FOR NOTIFICATION OF
THE CONGRESS AND PUBLICATION. ROBINSON

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